

AMUSEMENTS.

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A GREAT SUCCESS—
NEW FIRST PART, "JENOLAN CLAY"
NEW MOVING PICTURES By the
NEW MOVING PICTURES GREAT MODERN
OUR PICTURES ARE THE VERY BEST.
PRICE: 2/ 1/6, 1/ and 6d. Box Office at Theatre,
10 to 5. SYD. BRENNAN, J. C. BAIN,
Treasurer, General Manager.
CARBOLACENE for spraying trees is unequalled. It
mainly destroys all insect life.

AUCTION SALES.
INGLIS'S BAZAAR, THIS DAY.

WILLIAM INGLIS and SON will sell by auction, at
their Rooms, THIS DAY, at 10 o'clock,
Vans, Springriggers, Horses, and Harness; Druggist
Horses, Picnicers, Horses, and Harness; and at
11 A.M., Horses and Vehicles of every descrip-
tion, specially advertised. Tel. 1211.

HORSES. HORSES. HORSES.

CAMPERDOWN YARDS.

THIS DAY, FRIDAY.
AT 2.30 P.M.
SIXTY HEAD.

WILLIAM INGLIS and SON have received orders

On account Mr. THOM. GRAHAM, Jamaica,
10 male Harpax Horrea, in good working con-
dition, broken in to harness for immediate sale, in-
cluding two ponies.

On account Mr. W. HAMBLY, Sheffield,
10 Active Draughts and light Harpax Horrea, 4 to
6 years old, broken and unbroken.

On account Mr. THOM. F. PRATLEY, Betham,
10 first-class Horrea, comprising
Black Trotting Colt, full brother to Phoenix
Junior; Black Filly 3 years, full sister to Phoenix
caniney Junior; Black Filly, 2 years, by Phoenix
caniney from the well-known trotting mare
LITTLE DOD, who has won many first prizes.

years old, by Iron Cleve, by Vanebo, broken. The balance consists of good class light horses, broken in.

On account of city firm.

2 good stage Harness Horses, been working in beef stanch; owners owing to reduction in business, have no further use.

On account of Northern Agents, Waukegan.

10 Drafts and light Harness Horses, all broken in, in good condition.

On account Mr. F. J. DUFFY, Eastwood.

1 active Van of the "Golden" brand, broken in; stanch; 1 Dark Brown Pony, bred by Mr. White, Harben Vaile, broken to sad and sold by Dockor Seaside.

On account owner, trucked at Camden.
 5 superior strongly-built Ponies, 12 and 13 hands high, all thoroughly broken to harness, ready for immediate use.
 On account of Mr. C. S. KINNAIR, Ballinas.
 Active Draught Bay Gelding, 3 yrs. old, 14 hands and active like a Hackney, harness Gelding, 3 yrs. old, unbroken. Both good sorts.
 On account of Mr. THOMAS GREVILLE, Enfield.
 Black Gelding, broken to s. and d. harness, good worker, and fast, sold as a yearling.
 On account of Owens.
 Brown Gelding, quiet in saddle and harness, and a tradesman's cart.
 On account of Mr. J. W. WILSON.
 Bay Gelding, 6 yrs., broken to saddle and harness.
 On account of Owens.
 2 Light Horses, all broken Hs., with tradesman's

cars; also Bay Mare, 16 hands, 4 yrs., on trot 2 minutes, thoroughly broken to harness.

TO BREWERS, MILLERS, AND HEAVY CARRIERS.

DRAUGHT STALLION, FROM BATHURST.

WILLIAM INGLIS AND SON have received instructions from Mr. T. F. Fowler to sell by auction at the Cambridge Yards, **THIS DAY, at 2.30 p.m.** Chestnut Draught Stallion, 5 yrs. old, a powerful worker, suit for heavy or heavy carting horse.

SQUARE BAY TURNOUT AND SULKY HORSE.

WILLIAM INGLIS AND SON have received instructions from Messrs. C. Hart and Co. to sell by auction, at their Rooms, **THIS DAY, at 11.30 a.m.** Bay Gelding, 3 yrs., broken to harness, and a pair of heavy carting horses, Bay and Mare, 4 yrs.

Brown Mare, quick to ride or drive, ~~also~~
and Harness. Both good lots.

STYLISH VILLAGE CART.

WILLIAM INGLE and SON have received instructions from Mrs. N. Cheimbre to sell by auction, at their Bazaar, **THIS DAY**, at 11.30 a.m.
Village Cart, light, and in good repair.

DELIVERY VAN TURNOUT and 2 HORSES.

WILLIAM INGLE and SON have received instructions to sell by auction at their Bazaar, **THIS DAY**, at 11.0 a.m.
Black Mare, any trial, Delivery Van, and Harness, equal to new; also an active Van Gaiding, and useful Saddle and Harness Bazaar. Trials given.

WILLIAM INGLIS and SON have received instructions from Mr. W. Brown, Handwick, to sell by auction, at their Barnar, **THURSDAY, at 12 o'clock.**
Dark Bay Mare, quiet to ride, and a splendid heavy mare, but trotter; also Cream Bay, reliable in harness, suit a cab or business use.
RELIABLE S. A. & H. PONY.

WILLIAM INGLIS and SON have received instructions from Mr. W. Brown, Handwick, to sell by auction, at their Barnar, **THURSDAY, at 12 o'clock.**
Percheron Pony (gelding, 15.3, thoroughly broken to saddle and harness, any trial.
TO RACING MEN AND OTHERS.

WILLIAM INGLIS and SON have received instructions from Mr. W. Brown, Handwick, to sell by auction, at their Barnar, **THURSDAY, at 12 o'clock.**
Dark Bay Mare, quiet to ride, and a splendid heavy mare, but trotter; also Cream Bay, reliable in harness, suit a cab or business use.
RELIABLE S. A. & H. PONY.

Williams to sell by auction, at their house, **THURSDAY**, at 12 o'clock.

LEVI Day Gelding, 4 yrs. (full brother to the champion 14.1 pony mare), by Hilarity from a Sumpter mare. Full particulars at sale.

RACING GELDING KINGMAH.

WILLIAM INGLIS and SON have received instructions to sell by auction, at their house, **THURSDAY**, at 12 o'clock.

MINKIE, Chestnut Gelding, foaled 1901, by Ruffian from Clansome, by Clan Chief (imp.), a maiden. Would make a good hurdle horse.

POWERFUL HEAVY DRAUGHT GELDING.

WILLIAM INGLIS and SON have received instructions from Mr. Carl, Belmont, to sell by auction

WILLIAM ENGLISH AND SON have received *importations* from Mr. W. J. Bryan to sell by auction, at their **BARSAZ, THIS DAY, at 12 o'clock.** Extra Heavy Draught Gelding, 4 yrs., *well broken to saddle* Bay gelding, 6 yrs., thoroughly broken to *saddle* and harness.

2 SADDLE AND HARNESS HORSES.

WILLIAM ENGLISH AND SON have received *importations* from Mr. O. McCarthy to sell by auction, at their **BARSAZ, THIS DAY, at 12 o'clock.** Well-bred Bay Mare, reliable in *saddle* and *harness* used to *work* and *draw* heavy loads, *well broken to* doctor or traveller; also *thrustly* at Gelding, about 14 1/2, well broken to *saddle*

and harness, trim, etc., accustomed to
streets

CAMPDOWN YARDS.

THIS DAY, 2.30 P.M.

J. H. B E A L S
will sell by auction,
Account City Firm.
5 Good HAINES HOLERS, been used in long
work.
Account Various Owners.
10 HORSE, broken to saddle and harness.
Telephone, 485 City.

NEWMARKET SALEYARDS,
ST. MARKS.

THIS DAY, 22nd JANUARY, 1908.

100 CHOICE DAIRY AND STORE CATTLE.
WEAVER and PERRY have received instructions to sell by AUCTION as above, at 12.30 p.m.
300 HEAD OF HIGH GRADE DAIRY CATTLE comprising
15 Cows and Heifers, under Springers.
120 Choice Dairy Heifers, 1 to 2 years old.
40 Steers, 12 to 18 months old.
25 Store Cows.
N.B. Train leaves SYDNEY at 10.30 a.m. Complete Drivers in attendance.
GEO. H. MOXHAM and CO. sell by Auction, This Day, at Wool Hall, Sheepskins, 10.30; Hides, 1.30 p.m.
PRODUCE SALES will be held TO-DAY, as under—
SHEEPSKINS, at 10.30 a.m.; HIDES, at 1.30 p.m.

WEEKLY PRODUCE SALE

MORRISON AND ELLIS will sell by auction, at their
Railway Produce Saleyards, Quay street,
George-street South, **THIS DAY**, at 1 p.m.,
Fat Venison, Porkers, Baconers, Sides, Cansons,
Pigs and Veal, and all other fresh meats, Canned
Meat, Beefwags, Lard, Fruit, a large quan-
tity of Poultry of every description, Pigeons,
Birds, Game, etc.
1 Ton Bone Extracted Honey (choice Western).
1 Ton Choice Farmed Bacon.

R. F. MURPHY AND
will Sell by Auction at
THEIR SALE ROOMS AND YARDS,
Thomas street, Haymarket,
THIS DAY,
Rucking Pigs and Carcase Pork, 1 p.m. sharp.

C. J. TURNER sells at his Room, Valentine-croft Haymarket, **THIS DAY**, as under:-
1.15, Ducklings, Chick. Birds, etc.
1.50, Eggs, then Poultry.

THE CHIEF JUSTICE.

MEMORANDUM FOR THE RECORD

DENIAL OF REMOVAL.

STATEMENT BY THE PREMIER.

The Premier, Mr. Wade, returned to town last evening from Moss Vale, and made a lengthy statement with reference to press comments upon the action of the Government in granting leave of absence to the retiring Chief Justice. He said:—"I noticed, while away, some comments with regard to the leave granted to Sir Frederick Darley. As there is a misconception with regard to some material facts, a few words of explanation will not be amiss."

A TIME-HONOURED PRACTICE.

"In the first place, there can be no question as to the absolute power of the Government to grant leave of absence to any Government member with regard to leave of absence to any member of the Public Service, whether his re-

usage, and has been in operation as late back as one can trace the records. It is a privilege

"I have taken an opportunity of examining the records for the last few years, and I find there are dozens of cases in which leave has been granted to officers without any examination, and, in some cases, without any recommendation of the Public Service Board. I am not sure that the Public Service Act or regulations, with respect to officers who are not amenable to the Public Service Board, is not in the hands of the discretion of the Governor is unlimited, and is governed simply by what seems to be the justice of each case. I am not sure that the

P R E C E D E N T.

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absence is regarded as a compliment to officer

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action of the Government up to this point? If this is not open to question, then the remaining steps follow irresistibly. If the Chi-

Justice is not to resign for 12 months, it is clear there is no vacancy in the judicial office and therefore becomes necessary to appoint some gentleman to act in his place. I venture to say that the Government would not have been so complicated by any intrusion of the political element, there would not have been one word of comment.

IN REPLY TO CRITIC.

"Before I leave this branch of the subject I shall deal with two arguments that have been advanced with regard to this granting of leave. It is said by one writer that it is improper that Sir Frederick Sturges should be allowed to continue in office until he should still be drawing emoluments at the hands of the State over and above his pension rights. This statement is based upon the fact that Sir Frederick Sturges has severed his connection with the office of Chief

will remain so for the next 12 months. He has received no gratuity or special bonus, but leave of absence, and during the period of

leave will draw the salary attached to his office. It is also urged that while the public is prepared to recognise Sir Frederick's services, it should not merit the question of reward or compensation, whatever the proper terms may be, should be settled by a vote of Parliament, and that he could have resigned without any dissent, as this argument does not see no difference in principle between the Judges of the Supreme Court and other high officers of the State. Yet this course has been adopted instead of number, without any dissent from the members of the Government, and the position would be a very unfair one to place a Chief Justice in. With a view to his retirement he is entitled to know exactly what he is entitled to, and it is not fair to say that for a specified period he should be relieved of active duty, and still draw his ordinary salary.

"The responsibility for making that contract should rest with the Government of the day. If the Government does wrong it is liable."

To censure by Parliament, but there is this outstanding feature—that even if the Government were censured for its action Parliament would never repudiate the contract made with a public servant in good faith and acted upon by him as a condition to the making of some sacrifice on his part. Censuring the Executive and honouring the contract would never be regarded as inconsistent and distinct things. If, however, the question was to be remitted to a vote by Parliament the officer would never know what is going to happen. At all events, in the present case the vote would be taken only after a session for many months after the negotiations commenced, and as the Government's contract is fulfilled by referring it to Parliament the Government would never be in a position to endorse the vote when it comes up for discussion.

"There is this further objection to this course—that the issue would really be per-

the London Mission Society found that the merits of the individual were not the first vote was asked. The Chief Justice might be liable to attack by persons whom he had offended in the discharge of his duties, and the Government might long and honourable career might be embittered by the consciousness that his name and reputation had been the sport of party clamour. I am satisfied that the proper course is the one we have adopted. The Government have arranged with the Chief Justice, and we take it that the possibility of answering for our action in Parliament, if, for my part, I am not prepared to insist, in that ignominious position a gentleman who has been so long and so devoted to the State in Parliament and on the Bench upwards of 40 years, and who ranks as the second citizen in New South Wales.

TEMPORARY OFFICERS' CLAIMS.

circumstances, the next question asked is whether the new Judge has a promise of per

manent appointment or not. There is no position clearer and more universally recognised than that of a temporary official. The holder of a temporary office has no right to ask for any promise of a permanent appointment, nor has the Executive any right to make a promise of the kind which would be tantamount to a bribe. Complications of a serious character might easily arise if a Ministry which had made a promise to an individual Judge of the kind which appointments were to go out of office and its successor declined to recognise the promise.

THE BAR UNWILLING.

That being so, it is found in practice impossible to obtain from the ranks of the practising Bar a gentleman of the kind which is necessary. One must seek for a leading man, one must offer him the income of a leading man, and, if he is

Justice, and it is not likely that a King's Counsel in active practice would break up his prospects by retiring from active work for

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Unfortunately, however, the personal and political elements have been introduced.

have not forgotten that when I was sudden;

